

EXHIBIT 77

Gang Fights In Prison Injure 22 And Kill One

The New York Times

March 29, 2008 Saturday, Late Edition - Final

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Section: Section A; Column 0; National Desk; Pg. 10

Length: 614 words

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Dateline: HOUSTON

Body

A federal prison in Texas erupted in violence early Friday when two gang-related fights broke out almost simultaneously in facing housing units. One inmate was killed, and 22 were injured, officials said.

It was the second outbreak of fighting in a federal lockup in Texas in three weeks.

The prison, the Federal Correctional Institution in Three Rivers, was locked down as F.B.I. agents began an inquiry, the Bureau of Prisons announced. The prison, between San Antonio and Corpus Christi, houses 1,160 men.

The fights, which broke out about 6:20 a.m., were quelled with the help of 10 nonguards -- plumbers, electricians, secretaries and other workers -- who happened to be reporting early, said Richard Wechsler, local president of the American Federation of Government Employees, a supervisor and a former guard at the prison.

The employees, like the guards, were unarmed according to practice, Mr. Wechsler said, "but they could start yelling, using their radios and grabbing inmates."

The dead inmate was identified as Servando Rodriguez, 38, an illegal immigrant serving 54 months for marijuana and parole violations. Investigators said he was stabbed and bludgeoned and died at the scene, but they gave no other details. Fifteen inmates, with two listed in critical condition, went to hospitals; three were returned to the prison. Seven others with minor injuries were treated at the prison.

No prison employees were reported hurt.

Union leaders said understaffing and increasingly violent inmates contributed to the disturbances at Three Rivers and at the Federal Detention Center in Houston. In Houston, a gang-related brawl on March 11 involved up to 80 prisoners, injuring 9 inmates and 3 employees. Investigators said they had no evidence that the two incidents were related beyond antagonisms between powerful Mexican and Texas prison gangs. But the investigators were checking a report that the fights at Three Rivers were retaliation for an attack in California by a gang called Pisa against another called the Mexican Mafia.

The brawl in Houston, a detention center for 1,000 people with fewer amenities than prisons, began with a gang-related fistfight, investigators said, and was put down by police officers, firefighters and guards with the help of a stun grenade.

Kent A. Schaffer, a lawyer specializing in federal criminal defense who said he had a client who was beaten in the Houston melee, said such fights were often rooted in Mexican-American prisoners' efforts to lord it over their Mexican counterparts.

"The whole complex of federal prisons is changing," Mr. Schaffer said. "They were traditionally nonviolent, as nice as a prison could be."

Over the last decade, he added, with federal crackdowns on crime, "a lot more violent activity is prosecuted federally." Younger prisoners feel compelled to join prison gangs for protection, he said, and prisoners facing long sentences feel less impelled to hasten their departures with good behavior.

"They're there for decades, so good time is meaningless," Mr. Schaffer said. "What does it matter if I fight?"

The Three Rivers fights appeared coordinated, Mr. Wechsler said. They broke out about the same time at two of the housing units, each holding 150 inmates, with one night guard in charge of both where there used to be two.

The prison, he said, had lost 15 of its 125 guards to cutbacks over the last five years.

Bryan Lowry, president of the council of prison locals of the government employees federation, said staffing nationwide had declined almost 8 percent in the last few years, as the federal prison population increased, to 200,910 from 146,494 in January 2001.

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